

By

S. Johnson

H C.R. No. 36

CONCURRENT RESOLUTION

1 WHEREAS, Romar Supply, Inc., a Texas corporation, alleges  
2 that:

3 (1) in February 1986, it had a contract with the Texas  
4 Department of Corrections to deliver plumbing supplies;

5 (2) after the supplies were delivered, the Texas  
6 Department of Corrections informed the claimant that part of the  
7 supplies did not meet inspection standards;

8 (3) an employee of the State Purchasing and General  
9 Services Commission agreed by telephone that the unused supplies  
10 would be returned and a restocking fee plus freight charges would  
11 be paid by the State Purchasing and General Services Commission;

12 (4) the State Purchasing and General Services  
13 Commission did not pay \$2,172 that was due for the supplies that  
14 were used;

15 (5) the State Purchasing and General Services  
16 Commission also did not pay the restocking fee and freight charges  
17 and did not return the unused supplies until a year later;

18 (6) the supplies delivered to the claimant were marked  
19 by the freight company as being damaged when picked up at the Texas  
20 Department of Corrections site; and

21 (7) the State Purchasing and General Services  
22 Commission has breached the agreement and wrongfully withheld from  
23 it payment of certain sums and damages; now, therefore, be it

24 RESOLVED by the Legislature of the State of Texas, That Romar

1 Supply, Inc., is granted permission to sue the State of Texas, the  
2 Texas Department of Corrections, and the State Purchasing and  
3 General Services Commission, subject to Chapter 107, Civil Practice  
4 and Remedies Code, as added by Chapter 524, Acts of the 70th  
5 Legislature, Regular Session, 1987; and, be it further

6 RESOLVED, That the director of the Texas Department of  
7 Corrections and the executive director of the State Purchasing and  
8 General Services Commission be served process as provided by  
9 Section 107.002(a)(3), Civil Practice and Remedies Code, as added  
10 by Chapter 524, Acts of the 70th Legislature, Regular Session,  
11 1987.

H. C. R. No. 24

By S. Johnson

**HOUSE CONCURRENT RESOLUTION**

granting Romar Supply, Inc., permission to sue the state and the Texas Department of Corrections.

JAN 19 1989

**1. Filed with the Chief Clerk.**

JAN 23 1989

**2. Read first time and referred to Committee on**

Judicial Affairs

3. Reported ☒ favorably ☐ unfavorably (as amended) and sent to Printer at \_\_\_\_\_:\_\_\_\_M.  
(time)

4. Printed and distributed at \_\_\_\_\_: \_\_\_\_\_ M.  
(time)

5. Sent to Committee on Calendars at \_\_\_\_\_:\_\_\_\_\_.M.  
(time)

6. Read and (adopted) (failed) (as amended) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ years, \_\_\_\_\_ days, \_\_\_\_\_ present, not voting).

7. Ordered Engrossed \_\_\_\_\_:\_\_\_\_\_.M.  
(time)

**8. Engrossed.**

9. Returned to Chief Clerk at \_\_\_\_\_:\_\_\_\_\_.M.  
(time)

**10. Sent to Senate.**

**Chief Clerk of the House**

\_\_\_\_\_ 11. Received from the House.

\_\_\_\_\_ 12. Read first time and referred to Committee on \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ 13. Reported favorably.

\_\_\_\_\_ 14. Ordered not printed by the Senate.

\_\_\_\_\_ 15. Immediate consideration ordered by (unanimous consent)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays)

\_\_\_\_\_ 16. Read and adopted.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 17. Returned to the House.

\_\_\_\_\_ 18. Received from the Senate (with amendments).

\_\_\_\_\_ 19. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-Record  
Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 20. Conference Committee Ordered.

\_\_\_\_\_ 21. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 22. Ordered Enrolled at \_\_\_\_\_ : \_\_\_\_\_ M.  
(time)